

## **REMARKS/ARGUMENTS**

This Amendment and Response is promptly filed to place the above-referenced case in condition for immediate allowance. Claims 3-27 and 29-41 have been cancelled. Claim 28 was previously cancelled. Claim 2 has been amended. No claims have been added. Claims 1-2 are outstanding in the application.

No new matter has been added to the application.

From the outstanding Office action: The Examiner rejected claims 3-27 and 29-41 on a variety of grounds. The Examiner also allowed claims 1 and 2. In order to bring the present application to reissuance, Applicant has cancelled the rejected claims, has corrected a typographic error in claim 2, and presents only the allowed claims for inclusion in the application.

Consequently, the application is in condition for allowance.

The Examiner stated in paragraph 2 of the remarks that the reissue application was filed without the required offer to surrender the original patent or an affidavit or declaration that the original is lost or inaccessible. Applicant believes that the required declaration was submitted to the office via form PTO/SB/55 previously, particularly on November 21, 2002 in a faxed communication to Examiner Crow. For convenience, a copy of that Statement As To Loss of Original Patent is enclosed.

Applicant makes no comments with respect to the Examiner's rejection, particularly whether or not such rejections have merit. As a result, Applicant reserves all rights that may be available to pursue the rejected claims at a future time to be determined.

If the Examiner believes that a telephone or other conference would be of value in expediting the prosecution of the present application, enabling an Examiner's amendment or other meaningful discussion of the case, Applicant invites the Examiner to contact Applicant's representative at the number listed below.

With the above-referenced changes, it is believed that the application is in a condition for allowance; and Applicant respectfully requests the Examiner to pass the application on to allowance. It is not believed that any additional fees are due; however, in the event any additional fees are due, the Examiner is authorized to charge Applicant's Attorney's Deposit Account No. 03-2030.

Respectfully submitted,

CISLO & THOMAS LLP

Date: October 6<sup>th</sup>, 2003

  
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DMC/ASJ/mfn

Enclosure

Copy of Statement As To Loss of Original Patent

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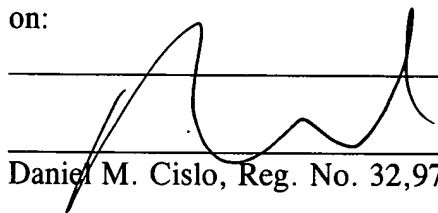
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**REISSUE PATENT APPLICATION  
STATEMENT AS TO LOSS OF ORIGINAL PATENT**

Docket Number (Optional)

01-9676

I hereby state that:

I am the applicant for a reissue patent based on the original patent identified below.

Name of Inventor(s)/Assignee(s) Johnson Kuo

Patent Number 6,152,866

Title of Invention Folding Collapsible Exercising Apparatus

Reissue application number (if known)  
09/884,300

The ribboned original patent grant is lost or inaccessible.

Signature

Typed or printed name

Johnson Kuo

Date

Nov. 19, 2002

Title (e.g. inventor(s), officer of assignee)

Inventor

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